

CRIMINAL DOCKET - U.S. District Court				Assigned Docket No. <b>DAF</b>	U.S. (LAST, FIRST, MIDDLE)	Case Filed Mo. Day Yr <b>02 12 92</b>	Docket No. <b>92 00220 HMF 02</b>
PO	<input type="checkbox"/> <b>0975</b>	1	<input type="checkbox"/> <b>7509</b>	<input type="checkbox"/> WRIT	VS.		
Misd.			<input type="checkbox"/> JUVENILE	• <b>KIM, YOUNG HO</b>			
Felony <input checked="" type="checkbox"/>			<input type="checkbox"/> ALIAS				
District		Off	Judge/Magistr.	OFFENSE ON INDEX CARD			
U.S. TITLE/SECTION				OFFENSES CHARGED		ORIGINAL COUNTS	
18:371	Conspiracy to structure transactions w/ a domestic financial institution, evading reporting requirements & caused a domestic fin instit to file a report that contained a material omission & misstatement of fact (03/87)		CT1		1	<input type="checkbox"/>	<input type="checkbox"/>
31:5324(3)	Structuring/Evading Reporting Requirement (02/87)		CT 2		1	<input type="checkbox"/>	<input type="checkbox"/>
31:5324(2)	Caused domestic fin instit to file report containing material omission & misstatement of fact (03/87)		CT 3		1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
31:5324(2)	Attempt to cause domestic fin instit to file a report containing material omission & misstatement (03/87)		CT 4		1	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SUBSCRIBING COUNTS							

INTERVAL ONE		END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)				SUPERSEDING COUNTY							
<b>KEY DATE</b> <input type="checkbox"/> arrest <input type="checkbox"/> sum'n/s <input type="checkbox"/> custody <input type="checkbox"/> appears on complaint		<b>KEY DATE</b> <b>02-12-92</b> <input type="checkbox"/> APPLICABLE				<b>KEY DATE</b> <b>03-10-92</b> <input type="checkbox"/> APPLICABLE							
<b>EARLIEST OF</b>		<b>END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)</b>				<b>END INTERVAL TWO</b>							
<input type="checkbox"/> arrest <input type="checkbox"/> sum'n/s <input type="checkbox"/> custody <input type="checkbox"/> appears on complaint		<input checked="" type="checkbox"/> Indictment <input type="checkbox"/> filed/sealed <input type="checkbox"/> consent to Magr. trial on complaint <input type="checkbox"/> Information <input type="checkbox"/> Felony/Whatever				<input type="checkbox"/> Dismissal <input type="checkbox"/> Pled Guilty <input type="checkbox"/> After N.G. <input type="checkbox"/> Not Guilty <input type="checkbox"/> After nolo <input type="checkbox"/> Trial (voir dire) begun <input checked="" type="checkbox"/> Jury <input type="checkbox"/> N.J.							
<b>1st appears with or waives counsel</b> <b>03-10-92</b>		<b>ARRAIGNMENT</b> <b>03-10-92</b>		<b>1st Trial Ended</b> <b>RE-TRIAL</b>		<b>2nd Trial Began</b> <b>09-08-92</b>		<b>DISPOSITION DATE</b> <b>01-19-93</b>		<b>SENTENCE DATE</b>		<b>FINAL CHARGES DISMISSED</b>	
<b>Search Warrant</b> <input type="checkbox"/> Issued <input type="checkbox"/> Return		<b>DATE</b> <b>...</b>		<b>INITIAL/NO.</b> <b>...</b>		<b>INITIAL APPEARANCE DATE</b> <b>...</b>		<b>INITIAL/NO.</b> <b>...</b>		<b>OUTCOME:</b> <input type="checkbox"/> DISMISSED <input type="checkbox"/> HELD FOR GJ OR OTHER PRO- <input type="checkbox"/> CEEDING IN THIS DISTRICT			
<b>Summons</b> <input type="checkbox"/> Issued <input type="checkbox"/> Served						<b>PRELIMINARY EXAMINATION</b> <input type="checkbox"/> OR <input type="checkbox"/> REMOVAL <input type="checkbox"/> HEARING <input type="checkbox"/> WAIVED <input type="checkbox"/> NOT WAIVED <input type="checkbox"/> INTERVENING INDICTMENT							
<b>Arrest Warrant Issued</b> <b>COMPLAINT</b> <input type="checkbox"/>													
<b>Date of Arrest</b>		<b>OFFENSE (In Complaint)</b>											

Show last names and suffix numbers of other defendants on same indictment/information:

(01) Chee, (02) Y. Kim, (03) J. Kim

ATTORNEYS

U. S. Attorney or Asst.

DANIEL A. BENT

by Florence T. Nakakuni, Asst. U.S. Atty.

Defense: 1  CJA, 2  ExRet, 3  Waived, 4  Self, 5  Non / Other, 6  PD, 7  CD

JERRY A. RUTHRUFF

900 Fort St. Mall Suite 1855  
Honolulu, Hawaii 96813  
ph: 524-4975

Rule	20	21	40	In	Out
<b>BAIL &amp; RELEASE</b>					
<b>PRE-INDICTMENT</b>					
Release Date	<input type="text"/>				
<input type="checkbox"/> Bail	<input type="checkbox"/> Fugitive				
<input type="checkbox"/> Denied	<input type="checkbox"/> Pers. Rec.				
<b>AMOUNT SET</b>					
\$ <input type="text"/>	<input type="checkbox"/> PSA				
<b>Conditions</b>					
<input type="checkbox"/> Date Set	<input type="checkbox"/> 10% Dep.				
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Surety Bnd				
<input type="checkbox"/> Date Bond Made	<input type="checkbox"/> Collateral				
	<input type="checkbox"/> 3rd Ptry				
	<input type="checkbox"/> Other				
<b>POST-INDICTMENT</b>					
Release Date	<input type="text"/>				
<input type="checkbox"/> Bail	<input type="checkbox"/> Fugitive				
<input type="checkbox"/> Denied	<input type="checkbox"/> Pers. Rec.				
<b>AMOUNT SET</b>					
\$ <input type="text"/>	<input type="checkbox"/> PSA				
<b>Conditions</b>					
<input type="checkbox"/> Date Set	<input type="checkbox"/> 10% Dep.				
<input type="checkbox"/> Bail Not Made	<input type="checkbox"/> Surety Bnd				
<input type="checkbox"/> Date Bond Made	<input type="checkbox"/> Collateral				
	<input type="checkbox"/> 3rd Ptry				
	<input type="checkbox"/> Other				

DATE DOCUMENT NO.	Yr 92	Docket No. 92 00220 HMF	Def. 02	MASTER DOCKET - MULTIPLE DEFENDANT CASE PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	PAGE 1 OF	VI EXCLUDABLE DELAY		
						Start Date End Date	Ltr Code	Total Days
1992				(OPTIONAL) Show last names of defendants				
Feb 12	1			<b>V. PROCEEDINGS</b>				
	2			<u>EP: INDICTMENT - PS ordered (Judith Powers) CONKLIN</u>				
	2			PS issued; retn 02-24-92 at 10:00 a.m. (T)				
	19	3		Notice - A&P contd. from 02-24-92 to 03-02-92 @ 10:00 a.m. cc: all counsel				
	25	4		Return on PS executed by USM via Certified Mail on 02-18-92				
Mar 10	5			<u>EP: A&amp;P - Defendants present. Defendants waive reading of Indictment and enter pleas of Not Guilty. Jury Trial: 05-12-92 at 9:00 Fong. Final Pretrial: 04-24-92 at 11:00 Kurren. Defts. mos. due: 03-31-92. Govt. response: 04-14-92. Bail: As to Defendant Chee: \$25,000.00 signature; usual conditions: Not to leave the Island of Oahu; inform the Court of any change in address/phone no. within 24 hours. As to Defendants Kim (Both) \$50,000.00 signature; 10% cash; usual conditions: Not to leave the Island Oahu; inform the Court of any chnage in address/phone no. within 24 hours. (48 hours to post bail) Custionary advise given. Nakakuni, D. Ching, Ruthruff, &amp; Yuen present.</u> (ESR) <u>KURREN</u>				
	6			<u>ORDER Setting Conditions of Bail - \$50,000.00/\$5,000.00 CASH Travel: Island of Oahu. Advise the court of any chang in address or phone w/in 24 hours. KURREN</u>				
	7			Appearance Bond 2121 Ala Wai Ph2 Honolulu, HI 96815 Ph. 922-7587 <u>KURREN</u>				
	8			Affidavit by Owner of Cash Bail - \$5,000.00 Young Ho Kim 2121 Ala wai Blvd., PH #2 Honolulu, HI 96815 Ph. 922-7587				
	24	9		Defendants Jeong Suk Kim and Young Ho Kim's Request for Discovery; Certificate of Service				
	10			Government's Discovery Statement; Certificate of Service				
Apr 1	11			Government's Request for Discovery; Certificate of Service				
	2	12		Government's Response to Defendants Young Ho Kim (02) and Jeong Suk Kim's (03) Request for Discovery; Certificate of Service				
	29	13		Certificate of Service Re: Government's Jury Instructions				
	30	14		<u>EP: Final Pretrial Conference - Defendants' presence waived. A M/Continue trial was requested by Ms. Yuen. Court could not rule on this motion and advised Ms. Yuen to file with Judge Fong. (30) days ruling). Final Pretrial conference held. Trial to take 2 days. Interpreter needed for defendant Young Ho Kim. Jury instructions, voir dire already submitted. Government to prepare Final Pretrial Conference Order. Nakakuni, D. Ching, Ruthruff &amp; Yuen present. (ESR) KURREN</u>				

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1992					
May 11 15	First Stipulation to Continue Trial Date to July 14, 1992 and Excluding Time Under the Speedy Trial Act; ORDER - Trial contd. from 05-12-92 to 07-14-92 before Judge Fong. Time from 05-12-92 to 07-14-92 is excludable under the Speedy Trial Act - 18:3161(h)(8)(A) & (h)(8)(B)(iv). <u>FONG</u>	05-12-92	07-13-92	T	33
14 16	Government's Motion for Reconsideration of Court's Order Regarding: (A) Material Requested by Defendants Pursuant to Brady; (B) Release of Jencks Act Material One Week Prior to Trial; Certificate of Service				
Jul 7 17	Second Stipulation to Continue Trial Date to August 25, 1992, and Excluding Time Under the Speedy Trial Act - Trial contd. from 07-14-92 to 08-25-92. Time from 07-14-92 to and including 08-22-92 is excluded under the Speedy Trial Act - 18:3161(h)(8)(A) and (h)(8)(B)(iv). <u>FONG</u>	07-14-92	08-22-92	T	40
22 18	Amendment to Second Stipulation to Continue Trial Date to August 25, 1992 and Excluding Time Under the Speedy Trial Act Filed July 7, 1992. Speedy Trial exclusion from 08-22-92 to 08-25-92. <u>FONG</u>	08-23-92	08-24-92	T	2
Aug 18 19	Third Stipulation To Continue Trial To November 3, 1992, Setting Final Pre-Trial Conference And Excluding Time Under The Speedy Trial Act <b>DENIED</b> <u>FONG</u>				
20	Ex Parte Motion For Order Shortening Time; Declaration of Florence T. Nakakuni re: M/Disqualify Counsel				
21	ORDER GRANTING Motion To Shorten Time <u>FONG</u> re: M/Disqualify Counsel set for 08/19/92 at 9:00 a.m. (HMF)				
21a	Motion to Disqualify Counsel; Declaration of Florence T. Nakakuni; Exhibit 1; Certificate of Service				
19 22	EP: Government's Motion to Disqualify Counsel - Arguments held. Motion to Disqualify counsel - denied. Oral Motions to Continue Trial - denied. Discussion held regarding production of Brady, Jencks and other materials. Ordered that all notes made during the interview of Kendrick M.H. Chee be submitted to the Court for an in camera inspection. Ordered that the government provided the defense with all reports, memoranda, notes, etc., that are not protected by law. Florence T. Nakakuni, Jerry A. Ruthruff (02), Renee M.L. Yuen (03) Richard K. Perkins (03) present. (SP) <u>FONG</u>				
23	Witness List				
21 24	Government's Proposed Voir Dire Questions; Certificate of Service - see next page -				

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1992 Aug 21 25	Government's Trial Memorandum; Certificate of Service				
24 26	Government's Proposed Jury Instructions; Certificate of Service				
27	Defendant Young Ho Kim's Motion in Limine Re: Oral Statement of Defendant Young Ho Kim to Special Agents Lee and/or Southerland; Memorandum in Support of Motion; Certificate of Service				
28	Defendant Young Ho Kim's Motion in Limine Re: Statements Allegedly Made By Defendant Jeong Suk Kim to Government Agents, and for Severance of Trial; Memorandum in Support of Motion; Affidavit of Jerry A. Ruthruff; Certificate of Service				
29	Defendant Young Ho Kim's Motion in Limine Re: Oral Statement of Defendant Young Ho Kim to Special Agents Teraoka and Tsubota on July 5, 1988; Memorandum in Support of Motion; Certificate of Service				
30	Defendant Young Ho Kim's Requested Voir Dire Questions; Certificate of Service				
24 31	Defendant Young Ho Kim's Motion in Limine Re: Currency Transaction Report Dated February 17, 1987 and Other Documents Which The Government Failed to Produce as Required by the Discovery Rules; Memorandum in Support of Motion; Certificate of Service				
25 32	Government's Opposition to Defendant Young Ho Kim's Motion in Limine Re: Statements Allegedly Made By Defendant Jeong Suk Kim to Government Agents and for Severance of Trial; Certificate of Service				
33	Government's Filing Re: All Prior Discovery; Certificate of Service				
34	<u>EP:</u> JURY SELECTION/TRIAL - (1st Day) - Taekyong Kim sworn as an interpreter in the Korean language on behalf of the defendants. 51 jurors present. 12 jurors and 2 alternates selected, sworn and preliminarily instructed. Government's Motion to Strike Surplusage from the Indictment- granted as follows: 1. Paragraph 2(b); 2. Paragraph 5; 3. Paragraph 6(j); 4. Paragraph 6(j). Defendant Young Ho Kim's M/Limine: 1. Re: Oral Statement of Defendant Young Ho Kim to Special Agents Clint Tsubota and John Teraoka - granted in part. Government is precluded from using this evidence in its case in chief. 2. Re: Oral Statement of Defendant Young Ho Kim to Special Agents Lee and/or Southerland - denied. 3. Re: Currency Transaction Report dated February 17, 1987 and other documents which the government failed to produce as required by the discovery rules - denied. 4. Re: Statements allegedly made by defendant Jeong Suk Kim to Government agents and for severance of trial - denied.				

Opening statements made. Further trial continued to August 26, 1992 @ 9:00 a.m. Nakakuni, Ruthruff, Yuen &amp; (per Section II)

Start Date  
End DateLtr. Total  
Code Days

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DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1992	(Document No.)				
Aug 25 35	Defendant Jeong Suk Kim's Proposed Jury Instruction				
36	ORDER For Dismissal - Counts 3 & 4 of the Indictment - Certificate of Service <u>FONG</u>				
36a 26 37	Government's Motion in Limine; Declaration of Florence T. Nakakuni; COS Defendant Young ho Kim's Proposed Jury Instructions -				
38	<u>EP:</u> FURTHER JURY TRIAL - (2nd Day) - Defendant Young Ho Kim's Oral Motion to Continue Trial to Conduct Further Discovery made in conjunction with the hearing on Motions in Limine on August 25, 1992 - denied. Hearing held without the jury regarding evidentiary matters. Trudy Kim Yoshikawa, CST. Kendrick Chee CST. Exhibits admitted: P-1A thru P-13I; D-17, D-18 & D-19. Further trial continued to August 27, 1992 @ 9:00 a.m. Florence Nakakuni, Jerry Ruthruff; Renee Yuen & Taekyong Kim, Interpreter present. (SP) <u>FONG</u>				
27 39	<u>EP:</u> FURTHER JURY TRIAL - 3rd Day - Kendrick Chee, Chris Godwin, Seung Kyu Lee and John Teraoka CST. Government's exhibit P-14 admitted. Government rested. Defendants #2 & #3's Motion for Judgement of Acquittal - denied. John Teraoka recalled as witness by defendant #2. Further trial continued to August 28, 1992 @ 10:00 a.m. Florence Nakakuni, Jerry A. Ruthruff, Renee Yuen, Richard Perkins & Taekyong Kim, Interpreter present. (SP) <u>FONG</u>				
28 40	Government's Proposed Jury Instructions to Which the Defense Objects; Certificate of Service				
41	Government's Objections to Defendants' Proposed Instructions; Certificate of Service				
41a 42	Defendant Jeong Suk Kim's Proposed Jury Instructions <u>EP:</u> FURTHER JURY TRIAL - 3rd Day - Margo Brower CST. Young Ho Kim CST. Exhibits admitted: D-23 D-23. Further trial continued to September 1, 1992 @ 9:00 a.m. Settling of Instructions is set for August 31, 1992 @ 1:30 p.m. Florence Nakakuni, Jerry Ruthruff, Renee Yuen, Richard Perkins, Taekyong Kim (Interpreter) present. (SP) <u>FONG</u>				
43	The Parties Joint Set of Instructions; Certificate of Service				
31 44	<u>EP:</u> Settling of Jury Instructions - Defendants not present. Instructions settled. Jeong Suk Kim's Motion for Judgment of Acquittal - taken under advisement. Florence Nakakuni, Jerry Ruthruff, Renee Yuen & Richard Perkins present. (SP) <u>FONG</u>				
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DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1992	(Document No.)				
Aug 31	45 Government's Memorandum Regarding the Taylor Case; Certificate of Service				
	46 Government's Objections to Young Ho Kim's Supplemental Proposed Jury Instructions; Certificate of Service				
	47 Government's Withdrawal and Substitution of Jury Instructions Certificate of Service				
	48 Defendant Young Ho Kim's Proposed Jury Instructions to Which the Government Objects; Certificate of Service				
	49 Defendant Young Ho Kim's Memorandum in Opposition to Government's Proposed Jury Instructions; Certificate of Service				
	50 Defendant Young Ho Kim's Memorandum in Support of Defendant Young Ho Kim's Proposed Jury Instructions; Certificate of Service				
Sep 1	51 EP: FURTHER JURY TRIAL - 5th Day - Further settling of instructions. Defendant Jeong Suk Kim's Motion for Judgment of Acquittal - denied. Seung-Kyun Ko, Ph.D. sworn as an interpreter in the Korean language. Examination of Young Ho Kim resumed. Juror #9, Rosemary Oda, discharged and substituted by Alternate Juror # 1, Herbert Ito. Reverend D. Samuel Lee sworn as an interpreter in the Korean language. John Stevenson CST. Young Ho Kim recalled. Defendant Young Ho Kim rested. Defendant Jeong Suk Kim rested. Defendant Young Ho Kim's Renewed M/Severance - denied. Kendrick Chee recalled. John Teraoka recalled. Government rested. Further trial continued to September 2, 1992 @ 1:00 p.m. Florence Nakakuni, Jerry Ruthruff, Renee Yuen, Richard Perkins, Seung-Kyun Ko, Ph. D., Interpreter (9:00 - 12:30), Rev. T. Samuel Lee, Interpreter (1:30 - 3:20) present. (SP) FONG				
	52 Government's Motion for Reconsideration of Defendant Young Ho Kim's Instructions; Certificate of Service				
	53 Government's Memorandum Regarding Lopez-Alvarez; Certificate of Service				
	54 Government's Proposed Jury Instructions; Certificate of Service				
2	55 EP: FURTHER JURY TRIAL - (6th Day) - Government's opening argument. Jeong Suk Kim's closing argument. Young Ho Kim's closing argument. Government's rebuttal. Jury instructed. Bailiff sworn. Alternate juror will be on call until notified by the clerk that she has been discharged. Jurors excused until 9/3/92 @ 9:00 a.m. Jeong Suk Kim's Renewed M/Judgment of Acquittal is set for arguments on 09/03/92 @ 9:00 a.m. Case continued until the above date. Florence Nakakuni, Jerry Ruthruff, Renee Yuen, Richard Perkins, Reverend Samuel Lee, Interpreter. (YI) FONG				

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(YI) FONG

Interval  
(per Section II)Start Date  
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			(a)	(b)	(c)	(d)
1992 Sep 3	56	<u>EP:</u> FURTHER JURY TRIAL - Jury returned to commence deliberation. Defendants not present. Presence waived. Hearing held without the jury regarding the following: 1. Young Ho Kim's Oral Motion for Mistrial - denied. 2. Defendants' Renewed Motions for Judgement of Acquittal - denied. Further jury deliberation continued to September 4, 1992 @ 9:00 a.m. Florence Nakakuni, Jerry Ruthruff & Renee Yuen present. (YI) <u>FONG</u>				
4	57	<u>EP:</u> JURY DELIBERATION: The court convened to answer the Jury Question. Jury question and the court's response filed. Further deliberation contd. to Sept. 8, 1992 @ 9:00 a.m. Nakakuni, Ruthruff, Yuen & Perkins present. (YI) <u>EZRA</u>				
	58	Note from the Jury - 3:45 p.m.				
	59	Response to the Jury -	<u>FONG</u>			
8	60	<u>EP:</u> FURTHER JURY DELIBERATION - Jury returned for further deliberation.				
	61	"NOTE FROM THE JURY" filed. Hearing held without the jury regarding the note from the jury. Jury was summoned and the Court orally responded to the note. (2:25 - 3:00 p.m.) Jury returned with the verdicts (3:30 p.m.) "VERDICTS" as to both defendants read and filed. Jury found both defendants guilty to count 1 and not guilty to Count 2. Count 2 dismissed as to both defendants. Jury polled. Verdicts as to both defendants unanimous. Defendants referred for presentence investigation and report, and sentencing is set for December 7, 1992 @ 1:30 p.m. Bonds continued. Florence Nakakuni Jerry Ruthruff, Renee Yuen & Richard Perkins. (LG) <u>FONG</u>				
	62	VERDICT - Count 1: Guilty Count 2: Not Guilty				
	63	Court's Jury Instructions				
15	64	Stipulation For Extension of Time to File Written Motions	<u>FONG</u>			
16	65	Judgment of Acquittal - Count 2	<u>FONG</u>			
29	66	Notice of Motion; [10-26-92 @ 1:30 p.m. (Fong)]; Defendant Young Ho Kim's Motion to Dismiss Indictment To Arrest Judgment For Mistrial or New Trial and For Judgment of Acquittal Notwithstanding the Verdict and Joinder in Defendant Jeong Suk Kim's Motion for Judgment of Acquittal Notwithstanding the Verdict of For New Trial; Memorandum in Support of Motion; Certificate of Service				
		- see next page -				

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DATE	PROCEEDINGS (continued) (Document No.)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
1992 Oct 9 67	Index and Table of Citations For Government's Opposition to Defendant Young Ho Kim's Motion to Dismiss Indictment, To Arrest Judgment, For Mistrial or New Trial and For Judgment of Acquittal Notwithstanding the Verdict; Certificate of Service				
21 68	Stipulation to Continue Hearing on Defendant Jeong Suk Kim's Motion for Judgment of Acquittal Notwithstanding The Verdict or For New Trial and Defendant Young Ho Kim's Motion to Dismiss Indictment, to Arrest Judgment, For Mistrial or New Trial and For Judgment of Acquittal Notwithstanding the Verdict <u>FONG</u>				
Nov 20 69	Defendant Young Ho Kim's Supplemental Memorandum in Support of Motion to Dismiss Indictment, To Arrest Judgment, For Mistrial or New Trial and for Judgment of Acquittal Notwithstanding The Verdict; Certificate of Service				
27 70	Government's Response To Defendant Young Ho Kim's Supplemental Memorandum In Support Of Motion To Dismiss Indictment, To Arrest Judgement, For Mistrial Or New Trial, And For Judgement of Acquittal Notwithstanding The Verdict; Exhibit 1; Certificate of Service				
30 71	<u>EP:</u> Defendant Young Ho Kim's Motion to Dismiss Indictment, to Arrest Judgment, For Mistrial or New Trial and for Judgment of Acquittal Notwithstanding the Verdict or for a New Trial- Arguments held. Motion to Dismiss Indictment, to Arrest Judgment and for Judgment of Acquittal Notwithstanding the Verdict - denied. Motion for Mistrial or New Trial - Government has until December 4, 1992 to file its supplemental memorandum. Motion will be taken under advisement thereafter. Sentencing is continued until January 19, 1993 @ 2:00 p.m. Florence Nakakuni & Jerry A. Ruthruff (02) present. (SP) <u>FONG</u>				
Dec 3 72	Government's Further Memorandum In Opposition to Defendants Post-Trial Motions; Exhibit 1; Certificate of Service				
1993 Jan 15 73	ORDER DENYING Defendants' Motion To Dismiss Indictment, For Judgment Of Acquittal, For Mistrial, Or For New Trial <u>FONG</u> cc: Yuen/Perkins, Ruthruff, Nakakuni, USPO				
19 74	<u>EP:</u> SENTENCING To CT 1 - Nakakuni, Ruthruff. Alloc by deft. Adj - 1 yr impr, exec of sentence of impr is suspended & deft placed on prob for a term of 3 yrs upon the following spec condns: 1) That the deft pay a fine of \$20,000.00 payable within 90 days of the date of sentence; 2) That the deft complete 100 hours of comm svc as directed by the prob office -----contd - *See Next Page*				

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		(a)	(b)	(c)	(d)
1993	(Document No.) <u>SENTENCING contd:</u>				
Jan 19	Spec Mon Assess - \$50.00 payable forthwith. Adv of right to appeal the conviction & sentence, etc. (TC) <u>FONG</u>				
25 75	JUDGMENT In A Criminal Case <u>FONG</u>				
Feb 4 76	NOTICE OF APPEAL - On Behalf of Defendant [CA 93-10108]				
10 77	ORDER for Time Schedule - RT to be ordered by 2/25/93; RT to be filed by 3/29/93; Aplt's opening brief to be filed by 5/10/93; Aple's brief to be filed by 6/9/93; Reply brief (if any) to be filed by 6/23/93 - cc: Clerk, 9th CCA; cc: all counsel  Notice of Appeal sent to Clerk, 9th CCA and all counsel				
Mar 5 78	Transcript Designation and Ordering Form - Stephen Platt: 08/25-28/92, 08/31/92, 09/01/92, 11/30/92 Yukie H. Ichikawa: 09/02-04/92 Lisa Groulx: 09/08/92 Terrence Chun: 01/19/93				
17	Transcript of Proceedings pp. 23 - 09-08-92 - Lisa Groulx Transcript of Proceedings pp. 13 - 09-08-92 - Lisa Groulx				
29	Transcript of Proceedings pp. 23 - 01-19-93 - Terrence Chun				
30	Transcript of Proceedings pp. 111 - 09-02-92 - Yukie H. Ichikawa Transcript of Proceedings pp. 16 - 09-03-92 - Yukie H. Ichikawa Transcript of Proceedings pp. 13 - 09-04-92 - Yukie H. Ichikawa				
Apr 13 79	Defendant Young Ho Kim's Motion for Stay of Execution of Judgment in a Criminal Case filed on January 23, 1993; Declaration of Jerry A. Ruthruff; Certificate of Service				
16	Transcript of Proceedings pp. 231 - 08-25-92 - Stephen Platt Transcript of Proceedings pp. 237 - 08-26-92 - Stephen Platt Transcript of Proceedings pp. 224 - 08-27-92 - Stephen Platt Transcript of Proceedings pp. 124 - 08-28-92 - Stephen Platt Transcript of Proceedings pp. 64 - 08-31-92 - Stephen Platt Transcript of Proceedings pp. 147 - 09-01-92 - Stephen Platt Transcript of Proceedings pp. 78 - 11-30-92 - Stephen Platt				
30 80	ORDER Granting Defendant Young Ho Kim's Motion For Stay of Execution of Judgment in a Criminal Case Filed on January 23, 1993 <u>FONG</u>				
	- see page 9 -				

- see page 9 -

Interval  
(per Section II)Start Date  
End DateLtr. Total  
Code Days

UNITED STATES DISTRICT COURT  
CRIMINAL DOCKET  
AO 256A

KIM, YOUNG HO

Page 9 **DAE**  
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DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				
<u>1993</u>					
Jun 22 81	Defendant Young Ho Kim's Ex Parte Motion to Shorten Time for Hearing on Defendant Young Ho Kim's Motion to Supplementl Record on Appeal; Affidavit of Jerry A. Ruthruff; Certificate of SErvice				
23 82	ORDER Granting Defendant Young Ho Kim's Ex Parte Motion to Shorten Time for Hearing on Defendant Young Ho Kim's Motion to Supplement Record on Appeal <u>FONG</u>				
83	Notice of Motion [6-28-93 @ 2:30 pm, Judge Fong]; Defendant Young Ho Kim's MOTION to Supplement Record on Appeal; Memorandum in Support of Motion; Exhibits "A" and "B"; Certificate of Service				
24 84	<u>EO:</u> Hrng on Deft Young Ho Kim's M/Supplement Record on Appeal is contd from 6-28-93 to 7-2-93 @ 12 noon. Notified the following by phone: Jerry A. Ruthruff, Esq. thru his secy. & Florence Nakakuni, Esq. thru Steve. cc: the above attys & Judge Fong's chambers <u>FONG</u>				
28 85	Government's Response to Defendant Young Ho Kim's Motion to Supplement Record on Appeal; Certificate of Service				
Jul 9	<b>Certificate of Record mailed to Clerk, 9CCA - cc: all counsel</b>				
13 86	Stipulation to Supplement to Record on Appeal - <u>FONG</u>				
14 87	Defendants Submission of Documents Pursuant to Stipulation Certificate of Service				
Aug 16 88	Stipulation for ORDER To Deposit Fine Amounts in Registry of the Court and Order - <u>FONG</u>				
Nov 19	<b>Original Record Sent to 9CCA</b>				
<u>1995</u>					
Jun 19 89	Release of Judgement				
Sept 18 90	JUDGMENT - 9CCA - CA93-10108, CA93-10110 - Judgment of the District Court, REVERSED and REMANDED. Filed & entered 8/23/95. Attest Date 9/18/95 ccd: all parties				
	<u>EO:</u> Case re-assigned to Judge David Alan Ezra				
Oct 16 91	<u>EO:</u> Rescheduling Conference Pursuant to 9th CCA remand set for 10/23/95 @ 10:30 a.m. before Judge Kurren; cc: Florence Nakakuni, Jerry Ruthruff, Renee Yuen <u>KURREN</u>				
23 92	<u>EP:</u> Rescheduling Conference - Nakakuni, Ruthruff, Yuen. Defts' presence waived. Govt will be filing Order of Dismissal today (ESR) <u>KURREN</u>				
93	ORDER For Dismissal Prosecution if declined at this time <u>KURREN</u>				